

Remarks

The present response is to the Office Action mailed in the above-referenced case on August 12, 2004. This response is filed with a request for continued examination (RCE) as an Appeal was filed in response to the present Office Action on November 15, 2004 in which the decision of the Appeal was not in applicant's favor. Claims 1-5 and 7-11 are presented below for examination. The Examiner maintains the rejection of claims 1-5 and 7-11 under 35 U.S.C. 103(a) as being unpatentable over Nazem, in view of Nehab, Gershman and Rao. Claims 1-5 and 7-11 are further rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen (US 6,006,333), hereinafter Nielsen, in view of Franco et al. (US 6,687,745), hereinafter Franco.

Applicant has again reviewed the prior art of record, and has carefully studied the presented prior art references, and the Examiner's rejections and statements of the instant Office Action. In response applicant herein amends the claims to more particularly point out the subject matter of applicant's invention deemed patentable over the art presented by the Examiner. Claims 13 and 14 are newly added. Applicant presents arguments showing the limitations of applicant's claims, as amended, are not taught or suggested in the combined prior art presented.

Regarding independent claims 1 and 7 applicant herein amends the claims to positively recite that the information retrieved from a plurality of Internet destinations for each one of the subscribing users includes at least account balances or values. The information is then summarized and formatted into a single report for the subscriber. New claims 13 and 14 provide limitations wherein data is formatted and combined in a statistical process in the single report and statistical calculations are performed and the results presented in the report.

Applicant argues that the art presented by the Examiner, either singly, or in combination fail to teach or suggest applicant's invention, as claimed. Specifically, Gershman is able to go online and pay bills, for example, for the subscribing user, without retrieving financial information proprietary to the subscribing user, or storing the retrieved financial information at the portal according to preprogrammed criteria, and summarizing the retrieved information for delivery to the subscribing user.

Franco does not "retrieve" "proprietary financial information" because the stock information displayed by application 100 of Fig. 4A is not specifically taught to be the user's stock portfolio and trading orders. Franco, therefore also fails to teach "summarizing" "proprietary financial information" because the information "summarized" by application 100 is simply a listing of stock symbols chosen by the user, and the current value and other information pertaining to each.

The combined art fails to teach financial information being at least account balances or values wherein that information is from a plurality of sources combined, formatted and provided in a single report. Further, the art fails to provide statistical calculations on the retrieved information in the report as claimed.

Applicant believes in view of the above amendments and arguments presented herein, claims 1 and 7 are clearly and unarguably patentable as last amended over either combination of references relied on by the Examiner in this case, as neither combination produces applicant's claimed limitations of maintaining, retrieving, storing, summarizing or reporting financial information that is proprietary to the subscribing user, as claimed. Claims 2-6 and 8-10 are then patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims as argued above are patentable over the art of record, applicant respectfully requests reconsideration and that the case be passed quickly to issue. If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully submitted,
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